

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LINC-DROP, INC., A Nebraska
Corporation,

Plaintiff,

vs.

CITY OF LINCOLN, A political
subdivision of the State of Nebraska,
et al.,

Defendants.

4:13-CV-3133

ORDER

This matter is before the Court on the defendants' Statement of Objections to Magistrate Judge's Order (filing [51](#)), objecting to the Magistrate Judge's Memorandum and Order (filing [47](#)) overruling the defendants' motion to compel (filing [26](#)). The Court will overrule the objection.

A district court may reconsider a magistrate judge's ruling on nondispositive pretrial matters only where it has been shown that the ruling is clearly erroneous or contrary to law. *See*, [28 U.S.C. § 636\(b\)\(1\)\(A\)](#); [Fed. R. Civ. P. 72\(a\)](#); [Ferguson v. U.S.](#), 484 F.3d 1068 (8th Cir. 2007). Having considered the defendants' objection, the Court finds no error in the Magistrate Judge's findings, much less clear error. As the Magistrate Judge stated, "this case does not involve Linc-Drop's potential violation of the Ordinance or any potential fraudulent conduct by Linc-Drop." Filing [47](#) at 4. Instead,

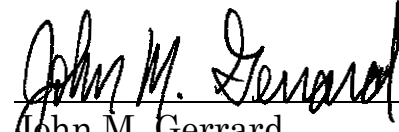
[t]he issue currently before the court is whether the Ordinance is constitutional. For that inquiry, whether and to what extent Linc-Drop's business is profitable, the value and depreciation of its property holdings, its business expenses, or the compensation provided to its officers and employees, is not relevant. And as to the issue presently before this court, it is unlikely this income and expense information will lead to the discovery of relevant information.

Filing [47](#) at 4. The Court agrees. Therefore,

IT IS ORDERED that the defendants' Statement of Objections to Magistrate Judge's Order (filing [51](#)) is overruled.

Dated this 2nd day of December, 2013.

BY THE COURT:



John M. Gerrard
United States District Judge